

[A summary of this ordinance was published in the *Clarion* on June 5, 2025.]

ORDINANCE NO. 1091

AN ORDINANCE CREATING SECTION 1-709 OF THE CODE OF THE CITY OF MAIZE, KANSAS, PERTAINING TO ESTABLISHING A CAPITAL IMPROVEMENTS FUND FOR THE CITY OF MAIZE, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MAIZE, KANSAS:

Section 1. Section 1-709 of the City Code Created. Section 1-709 of the Code of the City of Maize, Kansas, is created to read as follows.

1-709. Capital Improvements Fund.

- (a) **Multi-year Capital Improvement Plan.** The Governing Body of the City heretofore formally established a "Multi-year Capital Improvement Plan" that sets forth the public improvements and infrastructure needs of the City on a prioritized basis.
- (b) **Establishment of a Capital Improvements Fund.** In accordance with the provisions of K.S.A. 12-1,118, a "Capital Improvements Fund" is established for the City. The City may make budgeted transfers of moneys from other City funds that are lawfully available for improvement purposes to the Capital Improvements Fund, including moneys in the City General Fund. Any general property taxes specifically levied for use in the Multi-year Capital Improvement Plan must be authorized by ordinance adopted under the provisions of Section 5 of Article 12 of the Kansas Constitution.
- (c) **Use of Moneys.** Moneys in the Capital Improvements Fund may be used to finance in whole or in part any public improvement need set forth in the adopted Multi-year Capital Improvement Plan, including the repair, restoration and rehabilitation of existing public facilities. Disbursements from the Capital Improvements Fund may be made for advance engineering and other advance public improvement plans and studies, and reimbursement may be made to the Capital Improvements Fund from bond proceeds, special assessments or state or federal aid available for a completed project.
- (d) **Credit of Moneys to the Capital Improvements Fund.** Except for reimbursement of expenses as authorized in Section 3 above, no moneys can be credited to the Capital Improvements Fund except those that may be budgeted annually or transferred by the annual budget from other funds. Capital Improvements Fund moneys are not subject to K.S.A. 79-2925 through 79-2937, inclusive, and amendments thereto, and interest will be credited to the Capital Improvements Fund. Moneys in the Capital Improvements Fund may be invested in accordance with the provisions of K.S.A. 10-131 and amendments thereto, with interest thereon credited to the Capital Improvements Fund.
- (e) **Transfers to Other Funds.** If the Governing Body of the City determines that moneys transferred to the Capital Improvements Fund or any part of those moneys are not needed for the purpose for which they were transferred, the Governing Body, by adopting a resolution, may transfer such amounts not needed to the General or other fund from which it was derived, and the transfer and expenditure of those amounts will be subject to the budget requirements provision of K.S.A. 79-2925 through 79-2937, inclusive, and amendments thereto.

Section 3. Effective Date. This ordinance will be effective on the date a summary of this ordinance is published in the official city newspaper.

PASSED by the City Council and APPROVED by the Mayor on the 2nd day of June, 2025.



Pat Stivers
Pat Stivers, Mayor

Sue Villarreal
Sue Villarreal, City Clerk

APPROVED AS TO FORM:

Tom Powell
Tom Powell, City Attorney